

1-10-09

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| AGENCY USE ONLY | |
| Agency Reference #: | Date Received: |
| Circulated by: | (local govt. or agency) |

JOINT AQUATIC RESOURCES PERMIT APPLICATION FORM (JARPA)

(for use in Washington State)

PLEASE TYPE OR PRINT IN BLACK INK



- ☐ Application for a Fish Habitat Enhancement Project per requirements of RCW 77.55.290. You must submit a copy of this completed JARPA application form and the (Fish Habitat Enhancement JARPA Addition) to your local Government Planning Department and Washington Department of Fish & Wildlife Area Habitat Biologist on the same day.

NOTE: LOCAL GOVERNMENTS – You must submit any comments on these projects to WDFW within 15 working days.

Based on the instructions provided, I am sending copies of this application to the following (check all that apply)

| | | | | | |
|--|---|--|-----------------------------------|---|-----------------------------------|
| <input checked="" type="checkbox"/> Local Government for shoreline | <input type="checkbox"/> Substantial Development | <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Variance | <input checked="" type="checkbox"/> Exemption | <input type="checkbox"/> Revision |
| <input type="checkbox"/> Floodplain Management | <input type="checkbox"/> Critical Areas Ordinance | | | | |

☒ Washington Department of Fish and Wildlife for HPA (Submit 3 copies to WDFW Region)

☐ Washington Department of Ecology for 401 Water Quality Certification (to Regional Office-Federal Permit Unit)

☐ Washington Department of Natural Resources for Aquatic Resources Use Authorization Notification

☒ Corps of Engineers for: ☐ Section 404 ☒ Section 10 permit NATIONWIDE 3

☐ Coast Guard for General Bridge Act Permit

☐ For Department of Transportation projects only: This project will be designed to meet conditions of the most current Ecology/Department of Transportation Water Quality Implementing Agreement

SECTION A - Use for all permits covered by this application. Be sure to ALSO complete Section C (Signature Block) for all permit applications.

1. APPLICANT

Ash Grove Cement Company, attn.: Craig Puljan, Plant Manager

MAILING ADDRESS

3801 East Marginal Way South, Seattle, Washington 98134

| | | | |
|--------------|---------------------------|------------|--------------|
| WORK PHONE | E-MAIL ADDRESS | HOME PHONE | FAX # |
| 206-623-5596 | craig.puljan@ashgrove.com | | 206-623-5355 |

If an agent is acting for the applicant during the permit process, complete #2. Be sure agent signs Section C (Signature Block) for all permit applications

2. AUTHORIZED AGENT

Sasha Visconty, Anchor Environmental, L.L.C.

MAILING ADDRESS

1423 Third Ave., Suite 300, Seattle, WA 98101

| | | | |
|--------------|-------------------------|------------|--------------|
| WORK PHONE | E-MAIL ADDRESS | HOME PHONE | FAX # |
| 206-287-9130 | svisconty@anchorenv.com | | 206-287-9131 |

3. RELATIONSHIP OF APPLICANT TO PROPERTY: ☒ OWNER ☐ PURCHASER ☐ LESSEE ☐ OTHER

4. NAME, ADDRESS, AND PHONE NUMBER OF PROPERTY OWNER(S), IF OTHER THAN APPLICANT

5. LOCATION (STREET ADDRESS, INCLUDING CITY, COUNTY AND ZIP CODE, WHERE PROPOSED ACTIVITY EXISTS OR WILL OCCUR)

3801 East Marginal Way South, Seattle, Washington 98134, on the east bank of the Duwamish Waterway.

LOCAL GOVERNMENT WITH JURISDICTION (CITY OR COUNTY): City of Seattle

| | | | | | | | | | | | | | | | | | |
|--|---------|----------|-------|---|-----------------------|--------------------|-------|----------------|-----------------------|----|----|-----|----|-----|-----------------------|--|--|
| WATERBODY YOU ARE WORKING IN Duwamish Waterway IS THIS WATERBODY ON THE 303(a) LIST? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> IF YES, WHAT PARAMETER(S)? 1,4-dichlorobenzene, acenaphthene, arsenic, benzo(ghi)perylene, benzoic acid, bis(2-ethylhexyl)phthalate, butylbenzyl phthalate, cadmium, dibenz(a,h)anthracene, dimethyl phthalate, lead, mercury, pH, phenanthrene, phenol, silver, total PCBs, zinc. http://www.ecy.wa.gov/programs/wq/links/impaired_wtrs.html WEBSITE FOR 303d LIST | | | | TRIBUTARY OF Elliott Bay, Puget Sound | | WRIA # 9 | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">X SECTION</td> <td style="width: 10%;">SECTION</td> <td style="width: 10%;">TOWNSHIP</td> <td style="width: 10%;">RANGE</td> <td style="width: 10%;">GOVERNMENT LOT</td> <td style="width: 50%;">SHORELINE DESIGNATION</td> </tr> <tr> <td>NE</td> <td>18</td> <td>24N</td> <td>4E</td> <td>N/A</td> <td>UI (Urban Industrial)</td> </tr> </table> | | | | X SECTION | SECTION | TOWNSHIP | RANGE | GOVERNMENT LOT | SHORELINE DESIGNATION | NE | 18 | 24N | 4E | N/A | UI (Urban Industrial) | <div style="border: 1px solid black; padding: 5px; display: inline-block;"> USEPA SF 1256230 </div> | |
| X SECTION | SECTION | TOWNSHIP | RANGE | GOVERNMENT LOT | SHORELINE DESIGNATION | | | | | | | | | | | | |
| NE | 18 | 24N | 4E | N/A | UI (Urban Industrial) | | | | | | | | | | | | |

| | |
|--|--|
| LATITUDE & LONGITUDE 47°34'6.8", 122°20'44.0" | ZONING DESIGNATION IG1 U/85 (General Industrial 1 with 85-ft height limit) |
| TAX PARCEL NO 7666700350 | DNR STREAM TYPE, IF KNOWN 1 |

6. DESCRIBE THE CURRENT USE OF THE PROPERTY AND STRUCTURES EXISTING ON THE PROPERTY. HAVE YOU COMPLETED ANY PORTION OF THE PROPOSED ACTIVITY ON THIS PROPERTY? ☐ YES ☒ NO. FOR ANY PORTION OF THE PROPOSED ACTIVITY ALREADY COMPLETED ON THIS PROPERTY, INDICATE MONTH AND YEAR OF COMPLETION.

Ash Grove Cement is located on the shoreline of the Duwamish Waterway. The property is currently used as a cement manufacturing facility. There is a barge berthing facility at the shoreline for unloading of sand, gravel, and limestone required for the production of cement. A conveyor system transports these materials to the upland storage and processing facility (Figure 1).

IS THE PROPERTY AGRICULTURAL LAND? ☐ YES ☒ NO

ARE YOU A USDA PROGRAM PARTICIPANT? ☐ YES ☒ NO

7a. DESCRIBE THE PROPOSED WORK THAT NEEDS AQUATIC PERMITS. COMPLETE PLANS AND SPECIFICATIONS SHOULD BE PROVIDED FOR ALL WORK WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE, INCLUDING TYPES OF EQUIPMENT TO BE USED. IF APPLYING FOR A SHORELINE PERMIT, DESCRIBE ALL WORK WITHIN AND BEYOND 200 FEET OF THE ORDINARY HIGH WATER MARK. IF YOU HAVE PROVIDED ATTACHED MATERIALS TO DESCRIBE YOUR PROJECT, YOU STILL MUST SUMMARIZE THE PROPOSED WORK HERE. ATTACH A SEPARATE SHEET IF ADDITIONAL SPACE IS NEEDED.

The dock at the barge berthing facility is protected by eight used rubber tires attached to the waterward face as shown in Figure 2. Ash Grove Cement proposes to replace these tires with a durable high-density polyethylene (HDPE) fendering system. The system occurs at a water depth of approximately -21 ft mean lower low water (MLLW).

The existing rubber tires are chained to piles along the dock face. They will be removed by workers on a barge and the tires will be disposed of at an appropriate upland facility.

The HDPE fendering system consists of a fender panel as shown in Figures 3 and 4, running from the edge of the dock (elevation + 16 ft MLLW) down to -1 ft MLLW. A cylindrical strip of energy-absorbing rubber (called an "energy donut") above the fender panel will dampen impacts to the dock from loaded barges landing at the berth, while the HDPE material deflects energy by allowing barges to slide against the dock face.

The components of the fendering system will be lifted into place by a barge-mounted crane and bolted to the dock by workers and equipment on the barge or on the existing dock. The vertical fenders will be braced by angled steel struts running from the bottom of the fender panel to the top of the deck support piles 37 ft back. A small skiff or work platform may be used to access the struts located beneath the dock.

PREPARATION OF DRAWINGS: SEE SAMPLE DRAWINGS AND GUIDANCE FOR COMPLETING THE DRAWINGS. ONE SET OF ORIGINAL OR GOOD QUALITY REPRODUCIBLE DRAWINGS MUST BE ATTACHED. NOTE: APPLICANTS ARE ENCOURAGED TO SUBMIT PHOTOGRAPHS OF THE PROJECT SITE, BUT THESE DO NOT SUBSTITUTE FOR DRAWINGS. THE CORPS OF ENGINEERS AND COAST GUARD REQUIRE DRAWINGS ON 8-1/2 X 11 INCH SHEETS. LARGER DRAWINGS MAY BE REQUIRED BY OTHER AGENCIES.

7b. DESCRIBE THE PURPOSE OF THE PROPOSED WORK AND WHY YOU WANT OR NEED TO PERFORM IT AT THE SITE. PLEASE EXPLAIN ANY SPECIFIC NEEDS THAT HAVE INFLUENCED THE DESIGN.

The existing rubber-tire bumpers on the waterward dock face are worn to the point where they no longer provide adequate protection when barges land at the dock. Ash Grove Cement wishes to replace the existing tires with a durable fendering system designed for dock protection. This is necessary for the continued use of the facility. The fendering system is in urgent need of repair and will be replaced as quickly as possible.

7c. DESCRIBE THE POTENTIAL IMPACTS TO CHARACTERISTIC USES OF THE WATER BODY. THESE USES MAY INCLUDE FISH AND AQUATIC LIFE, WATER QUALITY, WATER SUPPLY, RECREATION, AND AESTHETICS. IDENTIFY PROPOSED ACTIONS TO AVOID, MINIMIZE, AND MITIGATE DETRIMENTAL IMPACTS, AND PROVIDE PROPER PROTECTION OF FISH AND AQUATIC LIFE. IDENTIFY WHICH GUIDANCE DOCUMENTS YOU HAVE USED. ATTACH A SEPARATE SHEET IF ADDITIONAL SPACE IS NEEDED.

This dock protection project will preserve the existing use of this section of the shoreline as a barge unloading facility. The project will not disturb sediments on the bottom. The barge used to complete the work is similar to those normally moored at the site. No new potential leaching sources will be introduced to the aquatic environment. A potential source of PAHs (the existing tires) will be removed.

Any debris that falls into the water during the fender replacement process will be retrieved and disposed of upland.

7d. FOR IN-WATER CONSTRUCTION WORK, WILL YOUR PROJECT BE IN COMPLIANCE WITH THE STATE OF WASHINGTON WATER QUALITY STANDARDS FOR TURBIDITY WAC 173-201A-1107? ☐ YES ☐ NO (SEE USEFUL DEFINITIONS AND INSTRUCTIONS)

8. WILL THE PROJECT BE CONSTRUCTED IN STAGES?

☐ YES ☒ NO

PROPOSED STARTING DATE: As soon as permitted (this is an urgent repair)

ESTIMATED DURATION OF ACTIVITY: 3 to 5 days

9. CHECK IF ANY TEMPORARY OR PERMANENT STRUCTURES WILL BE PLACED

☐ WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE FOR FRESH OR TIDAL WATERS, AND/OR

☒ WATERWARD OF MEAN HIGHER HIGH WATER LINE IN TIDAL WATERS

The new fendering system will extend to -1 ft MLLW.

10 WILL FILL MATERIAL (ROCK, FILL, BULKHEAD, OR OTHER MATERIAL) BE PLACED.

☐ WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE FOR FRESH WATERS? IF YES, VOLUME (CUBIC YARDS) _____ / AREA (ACRES) _____

☐ WATERWARD OF THE MEAN HIGHER HIGH WATER FOR TIDAL WATERS? IF YES, VOLUME (CUBIC YARDS) _____ / AREA (ACRES) _____

11 WILL MATERIAL BE PLACED IN WETLANDS? ☐ YES ☒ NO

IF YES:

A IMPACTED AREA IN ACRES.

B HAS A DELINEATION BEEN COMPLETED? IF YES, PLEASE SUBMIT WITH APPLICATION ☐ YES ☐ NO

C HAS A WETLAND REPORT BEEN PREPARED? IF YES, PLEASE SUBMIT WITH APPLICATION ☐ YES ☐ NO

D TYPE AND COMPOSITION OF FILL MATERIAL (E.G., SAND, ETC.)

E MATERIAL SOURCE

F LIST ALL SDIL SERIES (TYPE OF SOIL) LOCATED AT THE PROJECT SITE, & INDICATE IF THEY ARE ON THE COUNTY'S LIST OF HYDRIC SOILS. SOILS INFORMATION CAN BE OBTAINED FROM THE NATURAL RESOURCES CONSERVATION SERVICE (NRCS).

G WILL PROPOSED ACTIVITY CAUSE FLOODING OR DRAINING OF WETLANDS? ☐ YES ☐ NO

IF YES, IMPACTED AREA IS _____ ACRES OF DRAINED WETLANDS

NOTE: If your project will impact greater than 1/4 of an acre of wetland, submit a mitigation plan to the Corps and Ecology for approval along with the JARPA form.

NOTE: A 401 water quality certification will be required from Ecology in addition to an approved mitigation plan if your project impacts wetlands that are: a) greater than 1/4 acre in size, or b) tidal wetlands or wetlands adjacent to tidal water. Please submit the JARPA form and mitigation plan to Ecology for an individual 401 certification if a) or b) applies.

12. STORMWATER COMPLIANCE FOR NATIONWIDE PERMITS ONLY N/A—No new impervious area will be added.

THIS PROJECT IS (OR WILL BE) DESIGNED TO MEET ECOLOGY'S MOST CURRENT STORMWATER MANUAL, OR AN ECOLOGY APPROVED LOCAL STORMWATER MANUAL ☐ YES ☐ NO

IF YES - WHICH MANUAL WILL YOUR PROJECT BE DESIGNED TO MEET

IF NO - FOR CLEAN WATER ACT SECTION 401 AND 404 PERMITS ONLY - PLEASE SUBMIT TO ECOLOGY FOR APPROVAL, ALONG WITH THIS JARPA APPLICATION, DOCUMENTATION THAT DEMONSTRATES THE STORMWATER RUNOFF FROM YOUR PROJECT OR ACTIVITY WILL COMPLY WITH THE WATER QUALITY STANDARDS, WAC 173.201(A)

13. WILL EXCAVATION OR DREDGING BE REQUIRED IN WATER OR WETLANDS? ☐ YES ☒ NO

IF YES:

A. VOLUME (CUBIC YARDS) / AREA (ACRES)

B. COMPOSITION OF MATERIAL TO BE REMOVED

C. DISPOSAL SITE FOR EXCAVATED MATERIAL

D. METHOD OF DREDGING

14 HAS THE STATE ENVIRONMENTAL POLICY ACT (SEPA) BEEN COMPLETED? ☐ YES ☒ NO

SEPA LEAD AGENCY: City of Seattle SEPA DECISION: DNS, MDNS, EIS, ADOPTION, EXEMPTION DECISION DATE (END OF COMMENT PERIOD): Pending

SUBMIT A COPY OF YOUR SEPA DECISION LETTER TO WOFWAS REQUIRED FOR A COMPLETE APPLICATION

15. LIST OTHER APPLICATIONS, APPROVALS, OR CERTIFICATIONS FROM OTHER FEDERAL, STATE OR LOCAL AGENCIES FOR ANY STRUCTURES, CONSTRUCTION, DISCHARGES, OR OTHER ACTIVITIES DESCRIBED IN THE APPLICATION (I.E., PRELIMINARY PLAT APPROVAL, HEALTH DISTRICT APPROVAL, BUILDING PERMIT, SEPA REVIEW, FEDERAL ENERGY REGULATORY COMMISSION LICENSE (FERC), FOREST PRACTICES APPLICATION, ETC.) ALSO INDICATE WHETHER WORK HAS BEEN COMPLETED AND INDICATE ALL EXISTING WORK ON DRAWINGS.

NOTE: FOR USE WITH CORPS NATIONWIDE PERMITS, IDENTIFY WHETHER YOUR PROJECT HAS OR WILL NEED AN NPDES PERMIT FOR DISCHARGING WASTEWATER AND/OR STORMWATER.

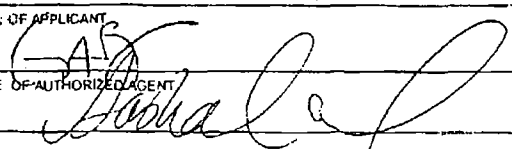
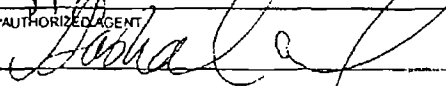
| TYPE OF APPROVAL | ISSUING AGENCY | IDENTIFICATION NO | DATE OF APPLICATION | DATE APPROVED | COMPLETED? |
|------------------|----------------|-------------------|---------------------|---------------|------------|
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16. HAS ANY AGENCY DENIED APPROVAL FOR THE ACTIVITY YOU'RE APPLYING FOR OR FOR ANY ACTIVITY DIRECTLY RELATED TO THE ACTIVITY DESCRIBED HEREIN? ☐ YES ☒ NO IF YES, EXPLAIN.

SECTION B - Use for Shoreline and Corps of Engineers permits only:

| | | |
|--|--|--------------|
| 17a TOTAL COST OF PROJECT THIS MEANS THE FAIR MARKET VALUE OF THE PROJECT, INCLUDING MATERIALS, LABOR, MACHINE RENTALS, ETC \$250,000 | | |
| 17b IF A PROJECT OR ANY PORTION OF A PROJECT RECEIVES FUNDING FROM A FEDERAL AGENCY, THAT AGENCY IS RESPONSIBLE FOR ESA CONSULTATION. PLEASE INDICATE IF YOU WILL RECEIVE FEDERAL FUNDS AND WHAT FEDERAL AGENCY IS PROVIDING THOSE FUNDS. SEE INSTRUCTIONS FOR INFORMATION ON ESA. FEDERAL FUNDING <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE LIST THE FEDERAL AGENCY _____ | | |
| 18 LOCAL GOVERNMENT WITH JURISDICTION City of Seattle | | |
| 19. FOR CORPS COAST GUARD, AND DNR PERMITS, PROVIDE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF ADJOINING PROPERTY OWNERS, LESSEES, ETC. PLEASE NOTE SHORELINE MANAGEMENT COMPLIANCE MAY REQUIRE ADDITIONAL NOTICE - CONSULT YOUR LOCAL GOVERNMENT | | |
| NAME | ADDRESS | PHONE NUMBER |
| Port of Seattle | 3627 Duwamish Ave. S. (P.O. Box 1209, Seattle 98111) | 206-728-3000 |
| International Bell & Rubber | 3687 Duwamish Ave. S | 206-622-6034 |
| Port of Seattle | 44 S. Nevada Street (P.O. Box 1209, Seattle 98111) | 206-728-3040 |

SECTION C - This section MUST be completed for any permit covered by this application

| | |
|---|------------------------|
| 20 APPLICATION IS HEREBY MADE FOR A PERMIT OR PERMITS TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN. I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS APPLICATION, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, SUCH INFORMATION IS TRUE, COMPLETE, AND ACCURATE. I FURTHER CERTIFY THAT I POSSESS THE AUTHORITY TO UNDERTAKE THE PROPOSED ACTIVITIES. I HEREBY GRANT TO THE AGENCIES TO WHICH THIS APPLICATION IS MADE, THE RIGHT TO ENTER THE ABOVE-DESCRIBED LOCATION TO INSPECT THE PROPOSED, IN-PROGRESS OR COMPLETED WORK. I AGREE TO START WORK ONLY AFTER ALL NECESSARY PERMITS HAVE BEEN RECEIVED. | |
| SIGNATURE OF APPLICANT  | DATE 1/10/05 |
| SIGNATURE OF AUTHORIZED AGENT  | DATE 1/10/05 |
| I HEREBY DESIGNATE TO ACT AS MY AGENT IN MATTERS RELATED TO THIS APPLICATION FOR PERMIT(S). I UNDERSTAND THAT IF A FEDERAL PERMIT IS ISSUED, I MUST SIGN THE PERMIT. | |
| SIGNATURE OF APPLICANT _____ | DATE _____ |
| SIGNATURE OF LANDOWNER (EXCEPT PUBLIC ENTITY LANDOWNERS, E.G. DNR) _____ | |
| THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE AGENT, IF AN AUTHORIZED AGENT IS DESIGNATED. | |

18 U.S.C §1001 provides that: Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

| | |
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| COMPLETED BY LOCAL OFFICIAL | |
| A. Nature of the existing shoreline. (Describe type of shoreline, such as marine, stream, lake, lagoon, marsh, bog, swamp, flood plain, floodway, delta; type of beach, such as accretion, erosion, high bank, low bank, or dike; material such as sand, gravel, mud, clay, rock, riprap, and extent and type of bulkheading, if any) | |
| B. In the event that any of the proposed buildings or structures will exceed a height of thirty-five feet above the average grade level, indicate the approximate location of and number of residential units, existing and potential, that will have an obstructed view. | |
| C. If the application involves a conditional use or variance, set forth in full that portion of the master program which provides that the proposed use may be a conditional use, or, in the case of a variance, from which the variance is being sought. | |

These Agencies are Equal Opportunity and Affirmative Action employers.
For special accommodation needs, please contact the appropriate agency in the instructions